

REMARKS

The Office Action rejects claims 1-2, 3-7 and 9-13, under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0170001 to Breen. It rejects claims 3 and 8 under 35 U.S.C. § 103 as being unpatentable over Breen in view of Official Notice taken by the Examiner.

Breen shows a PPM 22 in combination with a, "GPS receiver 32 which adds location information in association with ... received ...[program identifying] information."

In contrast with Breen, the present claimed invention includes systems and methods in which each of a plurality of portable people meters or PPM's transmits a signal modulated with a different frequency and in which the variously modulated signals are received to enable a determination that the PPM's transmitting the modulated signals are in the vicinity. This is enabled through the use of different modulation frequencies in each PPM, so each may be thus identified. Breen provides no hint or suggestion of these claimed features.

Accordingly, it is respectfully submitted, for the reasons presented, that the rejection of the claims cannot now be sustained and requested that such be withdrawn.

It is respectfully submitted that the claims pending in the subject application are in condition for allowance. Accordingly, reconsideration of the application and allowance thereof are respectfully requested.

The Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16-1.17 which may be required by Papers filed in this application to Deposit Account No. 03-3415.

Dated: January 16, 2008

Respectfully submitted,

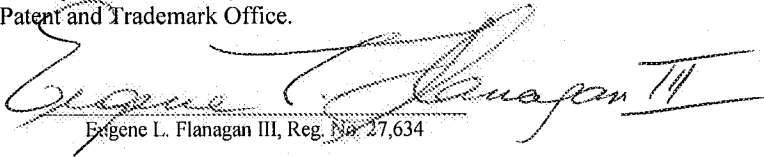


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Certificate: I hereby certify that this correspondence is being transmitted via the Patent Electronic Filing System (EFS) to the United States Patent and Trademark Office.

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